

UNITED STATES OF AMERICA )  
 )  
 v. )  
 )  
 RAMON SANMARTIN, JR., )  
 Defendant. )

NOW COMES the defendant and moves the court *in limine* for an order prohibiting the United States Government from offering any evidence either during its case in chief or during cross-examination of the defendant concerning his having exercised his constitutional rights to have an attorney assist him and to remain silent when questioned by the arresting or investigating police officers.

Defendant Sanmartin's rights to have an attorney assist him and to remain silent by both requesting the assistance of an attorney and/or declining to make either an oral or

written statement to law enforcement are guaranteed by the United States Constitution, Amend. V and VI, *Doyle v. Ohio*, 426 U.S. 610 (1976).

Respectfully submitted this the 14<sup>th</sup> day February, 2017.

/s/ Rosemary Godwin  
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on the attorneys identified below by electronic filing with the Clerk of Court for the Eastern District of North Carolina:

Laura S. Howard  
Scott Lemmons  
Assistant United States Attorneys  
Eastern District of North Carolina  
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This 14<sup>th</sup> day of February, 2017.

/s/ Rosemary Godwin  
Rosemary Godwin  
Attorney for the Defendant

